

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

JOHN R. BANASIK,

Plaintiff,

vs.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

§
§
§
§
§
§
§
§
§
§
§

**Civil Action No. 1:08-CV-191-C
ECF**

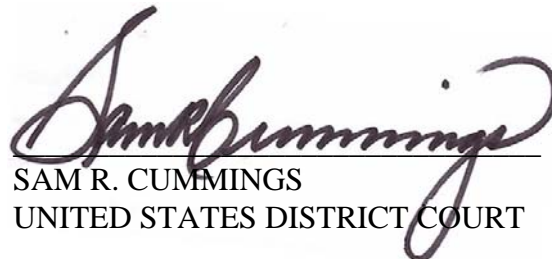
ORDER

THIS MATTER comes before the court on the Report and Recommendation filed February 22, 2010 (Doc. 23). No written objections have been filed.

IT IS, THEREFORE, ORDERED that the findings and conclusions in the Report and Recommendation are **ADOPTED** as the findings and conclusions of the court and that this cause is reversed and remanded to the Commissioner for further proceedings pursuant to 405 U.S.C. § 405(g).

Upon remand, the ALJ should further consider whether Plaintiff has impairments which are “severe” within the meaning of the Regulations.

Dated March 16, 2010.


SAM R. CUMMINGS
UNITED STATES DISTRICT COURT